APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,487	03/26/2004	Darwyn Peachey	021751-001400US	8141

20350	7590	11/20/2006	

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
YANG, ANDREW GUS

ART UNIT	PAPER NUMBER
2628	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 September 2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 March 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6-11, 14-17, and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gossweiler, III et al. (U.S. Patent No. 6,400,372).

With respect to claim 1, Gossweiler, III et al. disclose a method for rendering an

isolated frame in a sequential series of frames representing a dynamic scene (column 8,

lines 15-16). Gossweiler, III et al. disclose scene descriptor data, shown as scene 400

in Fig. 4, including object J 401, object K 402, and object L 403 in Fig. 4 (column 9, lines

5-6); it is deemed inherent that the scene 400 is retrieved from an appropriate source

prior to rendering. A first specification of object J requires 5000 polygons and is

associated with a first rendering option requiring a level of detail LOD (J1) 404 in Fig. 4

(column 9, lines 7-9). The levels of detail for the various objects are chosen such that all

objects can be drawn in the predetermined maximum amount of time determined by the

desired frame rate (column 8, lines 66-67 and column 9, lines 1-2), corresponding to a

first rendering option for LOD (J1) or a second rendering option for LOD (J2) (column 9,

line 7). It is deemed inherent that the first representation of the object is loaded into

computer memory because this is required prior to rendering the object. Fig. 4 illustrates

the various levels of detail available for displaying the three objects in the scene shown

in Fig. 2 (column 9, lines 3-4); therefore, this includes rendering the object using the first

representation of the object with LOD (J1). However, Gossweiler III et al. do not

explicitly teach querying a database for a first representation of the one object in

response to the first specification of the object when the first rendering option is

selected. Database queries are well known in the art; therefore it would have been

obvious to query a database for a first representation of the one object in response to

the first specification of the object when the selection is of the first rendering option

because this would allow for obtaining necessary details for rendering the first

representation of the object. Gossweiler III et al. do not explicitly state the limitation

wherein the first representation of the object is not loaded into computer memory when

the selection is of the second rendering option. It is well known to save memory by

discarding extra primitives; therefore it would have been obvious to avoid loading the

first representation of the object when the second rendering option is selected to save

memory because the first representation is not immediately required.

With respect to claim 2, Gossweiler III et al. disclose the method as in claim 1

wherein the scene 400 in Fig. 4 includes a second specification of the object requiring

2000 polygons and is associated with a second rendering option requiring a level of

detail LOD (J2) (column 9, lines 7 and 9). Claim 2 contains parallel steps to claim 1

being performed using a second specification, second rendering option, and second

representation; see rationale for rejection of claim 1 regarding these analogous steps.

With respect to claim 3, Gossweiler III et al. disclose the method as in claim 1,

wherein the one object comprises a geometric object, shown as object J in Fig. 2. The

first representation of the object comprises a geometric description of the geometric

object corresponding to level of detail 202 in Fig. 2.

With respect to claim 6, Gossweiler III et al. disclose the method as in claim 1.

However, Gossweiler III et al. do not explicitly teach providing an asset management

system for the first specification of the object and receiving a location of the first

representation of the one object from the system. Providing such systems is well known

in the art for retrieving data; therefore it would have been obvious to provide an asset

management system for the first specification of the object and receive a location of the

first representation of the one object from the system because this would allow for

obtaining the first representation of the object from the system.

With respect to claim 7, Gossweiler III et al. disclose the method as in claim 1.

The display screen appearance 200 in Fig. 2 represents an isolated frame in a

sequential series of frames representing a dynamic scene (column 8, lines 14-16).

However, Gossweiler III et al. do not explicitly teach storing a frame of animation.

Storing a frame of animation is well known in the art; therefore, it would have been

obvious to store a frame of animation because this would allow for reloading the same

frame for it to be redisplayed.

With respect to claim 8, Gossweiler III et al. disclose a method for rendering an

isolated frame in a sequential series of frames representing a dynamic scene (column 8,

lines 15-16). Gossweiler, III et al. disclose scene descriptor data, shown as scene 400

in Fig. 4, including object J 401, object K 402, and object L 403 in Fig. 4 (column 9, lines

5-6), and composite object COMP1 411 in Fig. 4; it is deemed inherent that the scene

400 is retrieved from an appropriate source prior to rendering. Object COMP1 is

associated with a reference to a first representation of the object by objects K, L, LOD

(K1), and LOD (L1) in Fig. 4 and associated with a reference to a second representation

of the object by objects K, L, LOD (K1), and LOD (L2) in Fig. 4. The first representation

is associated with a first rendering option where both objects K and L are represented

with a high level of detail; the second representation is associated with a second

rendering option where object K is represented with a high level of detail and object L is

represented with a lower level of detail. The levels of detail for the various objects are

chosen such that all objects can be drawn in the predetermined maximum amount of

time determined by the desired frame rate (column 8, lines 66-67 and column 9, lines 1-

2), corresponding to a first rendering option or a second rendering option, depending on

the level of detail and desired frame rate. It is deemed inherent that the first

representation of the object is loaded into computer memory because this is required

prior to rendering the object. Fig. 4 illustrates the various levels of detail available for

displaying the three objects in the scene shown in Fig. 2 (column 9, lines 3-4); therefore,

this includes rendering the object using the first representation of the object. Gossweiler

III et al. do not explicitly state the limitation wherein the first representation of the object

is not loaded into computer memory when the selection is of the second rendering

option. It is well known to save memory by discarding extra primitives; therefore it would

have been obvious to avoid loading the first representation of the object when the

second rendering option is selected to save memory because the first representation is

not immediately required. The first representation of object COMP1 comprises

references to representations of objects K, LOD (K1), L, and LOD (L1) and the second

representation of object COMP1 comprises references to representations of objects K,

LOD (K1), L, and LOD (L2). Object LOD (K1) is within the first and second plurality of

objects.

With respect to claim 9, Gossweiler III et al. disclose the method as in claim 8.

Gossweiler III et al. do not explicitly teach loading representations of the first plurality of

objects into memory when the first rendering option is selected; however, loading

objects into memory prior to rendering is well known in the art. Therefore, it would have

been obvious to load representations of the first plurality of objects into memory if the

first rendering option is selected because this would allow for faster rendering due to

quicker access of the objects to be rendered.

With respect to claim 10, Gossweiler III et al. disclose the method as in claim 9

comprising identical steps of claim 2; see rationale for rejection of claim 2.

With respect to claim 11, Gossweiler III et al. disclose the method as in claim 9

identical to claim 3; see rationale for rejection of claim 3.

With respect to claim 14, Gossweiler III et al. disclose a memory device 103 such

as RAM which stores program instructions executed by processor 102 as well a data

which is read and/or written by programs executed by processor 102 (column 7, lines

58-61). Though Gossweiler III et al. does not explicitly disclose a computer program

product for implementing the methods of the invention on a computer readable media,

this is well known in the art. It would have been obvious to implement the methods on

computer readable media in order to provide instructions to be executed by the

processor because this will allow for program execution. Claim 14 contains similar steps to claim 1 except for a second representation of the object associated with a second rendering option as in claim 2 and the last three steps as in claim 8, see rationale for rejection of corresponding claims.

With respect to claim 15, Gossweiler III et al. disclose the computer program product as in claim 14 that implements the method of claim 9; see rationale for rejection of claim 9.

With respect to claim 16, Gossweiler III et al. disclose the computer program product as in claim 15 that implements loading and rendering steps of claim 2; see rationale for rejection of claim 2.

With respect to claim 17, Gossweiler III et al. disclose the computer program product as in claim 16 that implements the method of claim 3; see rationale for rejection of claim 3.

With respect to claim 20, Gossweiler III et al. disclose the computer program product as in claim 16, wherein the first representation of the object further comprises values for properties of objects in the first plurality of objects, the properties being the number of polygons for objects LOD (K1) and LOD (L1) as in Fig. 4.

Claims 4,12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gossweiler, III et al. (U.S. Patent No. 6,400,372) in view of Harvill et al. (U.S. Patent No. 6,559,845).

With respect to claim 4, Gossweiler III et al. disclose the method as in claim 1. However, Gossweiler III et al. do not disclose a camera object wherein the first

representation of the camera object comprises: camera field of view, camera position,

camera orientation, and camera aspect ratio.

Harvill et al., who also deal with scene animation, disclose a method with an

object hierarchy in Fig. 3, including a camera object 148 for storing information about

camera position and angle with respect to an object model (column 8, lines 45-47). In

addition, it would have been obvious to include camera field of view and camera aspect

ratio data because these attributes are well known in the art for describing cameras.

Gossweiler III et al. and Harvill et al. are analogous in that they are in the same

field of endeavor, namely computer graphics animation.

At the time of the invention, it would have been obvious to combine the method

of including a camera object with attributes as taught by Harvill et al. with the

Gossweiler III et al. reference for the benefit of providing viewpoint attributes necessary

for defining the scene.

With respect to claim 12, see rationale for rejection of identical claim 4.

With respect to claim 18, Gossweiler III et al. disclose the computer program

product as in claim 16 that implements the method of claim 4; see rationale for rejection

of claim 4.

Claims 5, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gossweiler, III et al. (U.S. Patent No. 6,400,372) in view of Gagne (U.S. Patent No.

6,353,437).

With respect to claim 5, Gossweiler III et al. disclose the method as in claim 1.

However, Gossweiler III et al. do not disclose a light object wherein the first

representation of the light object comprises: type of light source, light color, light source, light quality, and light shape.

Gagne, who also deals with scene animation, discloses a method wherein light object 98a in Figs. 4, 5, and 6, applies a highlight property to a scene represented by frames 120a, 120b, and 120c, in Figs. 4, 5, and 6, respectively (column 7, lines 12-13, 16, and 19-21), thus describing a light source and light quality. In addition, it would have been obvious to include type of light source, light color, and light shape data because these attributes are well known in the art for describing light sources.

Gossweiler III et al. and Gagne are analogous in that they are in the same field of endeavor, namely computer graphics animation.

At the time of the invention, it would have been obvious to combine the method of including a light object with attributes as taught by Gagne with the Gossweiler III et al. reference for the benefit of providing light attributes necessary for illuminating the scene.

With respect to claim 13, see rationale for rejection of identical claim 5.

With respect to claim 19, Gossweiler III et al. disclose the computer program product as in claim 16 that implements the method of claim 5; see rationale for rejection of claim 5.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art in scene rendering:

U.S. Patent No. 7,042,454 to Seligman for a method of storing and retrieving 3D

objects from a database

U.S. Patent No. 6,985,145 to Knighton et al. for a method of retrieving 3D objects

from a database.

Response to Arguments

Applicant's arguments filed September 4, 2006 have been fully considered but

they are not persuasive. Applicant argues that Gossweiler does not mention that a

scene descriptor can be separated into separate data files and that it is assumed that

Gossweiler uses a monolithic scene descriptor. However, this limitation is not found in

the claimed invention. Even if Gossweiler uses a monolithic scene descriptor, this would

not preclude Gossweiler from storing and retrieving objects from a database as this is

well known; see additional cited references from Seligman and Knighton et al. Although

Gossweiler does not explicitly disclose "wherein the first representation of the object is

not loaded into computer memory when the selection is of the second rendering option,"

one representation of the object is rendered, therefore required to have been loaded

into memory. It would have been obvious that the other representation not be loaded

into memory if not needed because this would save memory space, as well known in

the art. Applicant argues that it would not be obvious to use databases for storing

objects described within a scene descriptor because of the large size of scene

descriptors. However, the claimed invention does not limit the size of the database for

storing objects. Applicant argues that Gossweiler fails to disclose "wherein the first

representation of the object comprises references to representations of a first plurality of

objects, wherein the second representation of the object comprises references to representations of a second plurality of objects, and wherein at least one object within the first plurality of objects is also within the second plurality of objects." However, as shown in Fig. 4, Gossweiler discloses a first representation of object COMP1 comprising references to representations of objects K, LOD (K1), L, and LOD (L1) and a second representation of object COMP1 comprises references to representations of objects K, LOD (K1), L, and LOD (L2). Object LOD (K1) is within the first and second plurality of objects. Gossweiler discloses two separate composite objects including references to the same objects, the object LOD (K1).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Yang whose telephone number is (571) 272-5514. The examiner can normally be reached on 8:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AGY

11/15/06

MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600